

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GINA LUND,

Petitioner,

v.

JASON CELSKI, and KATHRYN GUFFEY,
dba GUARDIAN REALTY PROPERTY
MANAGEMENT,

Respondent.

NO. CV-11-5018-EFS

**ORDER GRANTING KATHRYN
GUFFEY'S MOTION TO DISMISS
FOR LACK OF PROSECUTION**

Before the Court, without oral argument, is Defendant Kathryn Guffey's Motion to Dismiss for Lack of Prosecution, ECF No. [28](#), which was filed on August 12, 2011. Although Plaintiff Gina Lund was cautioned that the failure to file a timely response would result in dismissal of her claims against Defendants Kathryn Guffy and Guardian Realty Property Management ("Guardian Realty") by both 1) the August 15, 2011, Clerk's Office's Notice to Pro Se Litigants of the Dismissal and/or Summary Judgment Rule Requirements, ECF No. [29](#), and 2) this Court's September 26, 2011 Order, ECF No. [36](#), Ms. Lund failed to file a response to Defendant Guffey's motion by the extended October 14, 2011 deadline. Accordingly, after reviewing Defendant Guffey's motion and the file, the Court dismisses Ms. Lund's claims against Ms. Guffey and Guardian Realty for failure to prosecute because Ms. Lund failed to 1) appear at the telephonic conference relating to her counsel's motion to withdraw, ECF

No. [25](#), 2) appear for the August 5, 2011 scheduling conference, ECF No. [27](#), and 3) oppose Defendant Guffey's dismissal motion. Fed. R. Civ. P. 41(b).

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendants' Motion to Dismiss for Lack of Prosecution, **ECF No. [28](#)**, is **GRANTED**. Ms. Lund's claims against Defendants Ms. Guffey and Guardian Realty are **DISMISSED**.

2. The case caption is **AMENDED** to reflect the remaining parties:

GINA LUND,

Petitioner,

v.

JASON CELSKI,

Respondent.

IT IS SO ORDERED. The District Court Executive is directed to file this Order and provide copies of this Order to Ms. Lund and counsel.

DATED this 17th day of October 2011.

s/Edward F. Shea

EDWARD F. SHEA

United States District Judge

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